

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ABDULRAZAK BATUN,

Plaintiff,

vs.

OMAHA HOUSING AUTHORITY, et. al;

Defendants.

**8:14CV217**

**ORDER**

The defendants have filed a motion to compel, ([Filing No. 47](#)), and a motion to deem facts admitted, ([Filing No. 48](#)). The plaintiff has not responded to the defendants' motions, and the deadline for doing so has passed. The motions, and all facts within them, are deemed unopposed.

Defendants state the plaintiff did not respond to Defendants' discovery, including their Interrogatories, Requests for Production and Requests for Admissions served on June 1, 2015. The plaintiff also failed to serve mandatory disclosures. The defendants sent letters to the plaintiff on July 21, 2015 and July 30, 2015, reminding the plaintiff that his discovery responses and mandatory disclosures were past due. The plaintiff did not respond to the letters. On August 31, 2015, Defendants filed their motion to compel and motion to deem admitted those facts set forth in Defendants' requests for admissions. The plaintiff did not respond to the motions.

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, in the absence of any response to Requests for Admissions within 30 days of service, the requests are deemed admitted.

Accordingly,

IT IS ORDERED:

1. Defendants' motion to deem facts admitted, ([Filing No. 48](#)), is granted. Defendants' requests for admissions, ([Filing No. 48-3](#)), are deemed admitted.
2. Defendants' motion to compel, ([Filing No. 47](#)), is granted, and
  - a. The plaintiff is given 14 days, or until October 5, 2015, to serve on the defendants his mandatory disclosures and his full and complete responses to Defendants' Interrogatories and Requests for Production.
  - b. On or before October 8, 2015, the plaintiff shall file a certificate of service on the court's record as required under this court's local rules stating he has timely served his discovery responses as required under this order.
3. Failure to timely comply with paragraph 2 of this order may result in dismissal of this case as a discovery sanction or for want of prosecution.

September 21, 2015.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge